Appl. No. 09/781,042
Amdt. dated September 16, 2004
Reply to Office Action of March 24, 2004

PATENT

## REMARKS/ARGUMENTS

## STATUS OF THE APPLICATION

Claims 1-65 were pending in this application and examined. Claims 47-65 are rejected under 35 U.S.C. §101 for failing to provide a concrete, useful, and tangible result. Independent claims 1, 18, 20, 24, 41-43, 47, and 64-65 are rejected under 35 U.S.C. §112 for failing to adequately define the invention and for being indefinite. Claims 1-65 are rejected under 35 U.S.C. §103(a) as being unpatentable over Burge et al (US Pat. No. 6,014,638; hereafter "Burge") in view of Lupien (U.S. Pat. No. 6,012,046; hereafter "Lupien").

Claims 1, 5, 9-10, 13, 17-21, 23-24, 28, 32-33, 36, 41-44, 46-65 have been amended. No new matter has been added by the amendments. Claims 1-65 remain pending in this application after entry of this amendment.

## THE SPECIFICATION

The specification has been amended to correct inadvertently introduced typographical mistakes and to update application numbers information. Applicant submits that no new subject matter has been introduced by these amendments.

## THE CLAIMS

### Rejections under 35 U.S.C. § 101

Applicant submits that amended claims 47-65 provide a concrete, useful, and tangible result and are thus patentable under 35 U.S.C. 101.

### Rejections under 35 U.S.C. § 103

Claims 1-65 are rejected under 35 U.S.C. §103(a) as being unpatentable over Burge in view of Lupien. Applicant submits that the claims are patentable for at least the reasons stated below.

As described in the specification, embodiments of the present invention provide a dynamically configurable system that allows vendors to provide information to user in a

seamless and integrated manner. An inventive aspect of this system, as recited in all the independent claims, is the use of tokens. When an information request is received from a user, a set of tokens is determined corresponding to the information request. A set of rules (referred to as "token mapping rules" in the specification, see pages 22-23 of the specification) may be used to determine the tokens corresponding to an information request.

Vendor information that is to be provided to the user is then determined based upon the set of tokens. Another set of rules (referred to as "token-to-information mapping rules" in the specification, see pages 24-27 in the specification) may be used to determine the information to be provided in response to the information request based upon the tokens determined for the information request. By using the tokens and the mapping rules, the vendors are shielded from knowing the format and contents of the information request received from the user.

The tokens thus provide a level of indirection and act as intermediaries between information requests received from users and vendor information that is to be provided to the users in response to the information requests. The vendors are decoupled from the actual contents of the user information request and are thus insulated from the ever changing content and format of the information requests. The decoupling also enables vendors to change their business rules/logic (that determines what information is to be provided to the user) and change the vendor information independently of the contents of user information requests. Due to their persistent nature, tokens provide a convenient interface which can be used by vendors to identify when information in an information request is of interest to the vendor and to configure information to be provided to the user in response to the information request, without having to worry about the actual contents of the information request. Tokens thus provide vendors a cost-effective and efficient way to target potential customers.

Applicant submits that the concepts of determining a set of tokens corresponding to the information request and using the tokens to determine information to be communicated to the user (or some source of the information request), as recited in independent claims 1, 18-20, 24, 41-43, 47, and 64-65, are not taught or suggested by Burge or Lupien, considered individually or in combination.

Independent claims 1, 20, 24, 43, and 47

Claim 1, 20, 24, 43, and 47 recites the features of <u>determining a set of tokens</u> <u>corresponding to the information request</u>, <u>receiving a first set of rules identifying tokens and</u> <u>associated information</u>, and <u>determining information corresponding to the set of tokens based</u> <u>upon the first set of rules</u>. Applicant submits that none of these features (in addition to others) is taught or suggested by Burge or Lupien.

The Office Action recites several sections of Burge but <u>fails to clearly identify</u> <u>how those sections teach the recited features in the claims</u>—the Office Action does not provide any correlation between the sections of Burge (and Lupien) and the features recited in the claims 1, 20, 24, 43, and 47. More specifically, the Office Action has not identified which sections of Burger, if any, teach or suggest the features of determining a set of tokens corresponding to the information request, receiving a first set of rules identifying tokens and associated information, and determining information corresponding to the set of tokens based upon the first set of rules. The Examiner is requested to <u>clearly identify</u> the correlations, if any, between Burge and the recited features of the claims.

Further, upon a review of Burge, Applicant believes that neither of the features identified above are disclosed by Burge. Burge teaches a system for customizing content and presentation of content for computer users. The user's navigational choices are recorded and used to determine the user's need and preferences. Subsequent computer displays are customized in accordance with the user's needs and preferences. Burge however does <u>not</u> appear to teach anything that can be compared to determining tokens for an information request, as recited in claims 1, 20, 24, 43, and 47.

Applicant further submits that the user's needs and preferences taught in Burge are <u>not</u> the same as tokens as recited in claims 1, 20, 24, 43, and 47. As recited in claims 1, 20, 24, 43, and 47, <u>tokens are determined for an information request</u>. This is substantially different from Burge wherein the user's needs and preferences (user profile) are determined by recording the user's navigational choices. Further, the user preferences and profile taught in Burge are specific and customized for a user and stored for each user. Tokens on the other hand are not

specific or customized for a user, but rather are determined for an information request.
Accordingly, Applicants submit that at least the feature of <u>determining a set of tokens</u>
<u>corresponding to the information request</u> is not disclosed by Burge.

Additionally, Burge does not teach or suggest <u>receiving a first set of rules</u>
<u>identifying tokens and information associated with the tokens</u> and <u>determining information</u>
<u>corresponding to the tokens based upon the first set of rules</u>. Figs. 2A and 2B of Burge show
various databases and information that is stored to facilitate customization of content
presentation to a user, but <u>none</u> of these databases store <u>a set of rules identifying a plurality of</u>
<u>tokens and information associated with the tokens</u>.

Applicant submits that the deficiencies of Burge are not cured by Lupien. As
with Burge, the Office Action recites several sections of Lupien but <u>fails to clearly identify how</u>
<u>those sections teach the features recited in claims</u> 1, 20, 24, 43, and 47. The Examiner is
requested to <u>clearly identify</u> how the disclosed sections of Lupien teach or suggest the features
recited in claims 1, 20, 24, 43, and 47.

Further, upon a review of Lupien, Applicant believes that Lupien neither teaches
nor suggests the features of <u>determining a set of tokens corresponding to the information request,</u>
<u>receiving a first set of rules identifying tokens and associated information</u>, and <u>determining</u>
<u>information corresponding to the set of tokens based upon the first set of rules</u>. Lupien teaches a
crossing network that matches buy and sell orders based upon a satisfaction and quantity profile.
The orders are entered in the form of a satisfaction density profile. The satisfaction profile
characterizes the trader's degree of satisfaction to trade at any and all prices and sizes. A
matching controller computer receives the satisfaction density profiles as input and matches
orders so that each trader is assured that the overall outcome of the process has maximized the
mutual satisfaction of all traders. (Lupien: Abstract and Summary).

Applicant submits that the feature of <u>determining a set of tokens corresponding to</u>
<u>the information request</u> is not disclosed by Lupien. In Lupien, the satisfaction density profiles
are provided by the traders (Lupien: col. 4 lines 21-30). There is no teaching in Lupien of
determining tokens for an information request.

Additionally, Lupien also fails to disclose the features of <u>receiving a first set of rules identifying tokens and information associated with the tokens</u> and <u>determining information corresponding to the tokens based upon the first set of rules</u>. None of the sections of Lupien cited in the Office Action disclose or teach these features.

On the contrary, Applicant submit that the teachings of Lupine are opposite of the teachings of the present invention. As cited in independent claims 1, 20, 24, 43, and 47, a set of tokens is determined for an information request and then information corresponding to the tokens is determined based upon the first set of rules. This provides <u>a level of indirection</u> between the information request and the information that is to be provided in response to the information request. <u>Such a concept of indirection is taught or suggested in Lupien</u>. On the contrary, in Lupien, the satisfaction density profiles for buyers and sellers are <u>directly compared to each other</u> by a central matching computer (CMC) to calculate a mutual satisfaction cross product profile for each buyer/seller pair (See Lupien: col. 4 lines 27-48). Accordingly, Applicant submits that Lupine fails to disclose or suggest any indirection mechanism as recited in claims 1, 20, 24, 43, and 47.

Based upon the above, Applicant submits that neither Burge nor Lupien teaches or suggests the features of independent claims 1, 20, 24, 43, and 47 discussed above. Accordingly, even if Burge and Lupien were combined (and there appears to be no motivation to do so), the combination would fail to teach the features.

Applicant thus submits that claims 1, 20, 24, 43, and 47 are patentable over Burge and Lupien.

Independent claims 18, 41, and 64

In addition to other features, claims 18, 41, and 64 recite the features of determining a set of tokens corresponding to the information request, and determining information corresponding to the set of tokens based upon a set of rules (referred to as "second set of rules" in claims 18, 41, and 64). Applicants submits that these claims are thus allowable for at least a similar rationale as discussed above for claims 1, 20, 24, 43, and 47.

Appl. No. 09/781,042
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PATENT

Additionally, claims 18, 41, and 64 recite <u>another set of rules</u> (referred to as the "first set of rules" in claims 18, 41, and 64) that are <u>used to determine a set of tokens corresponding to an information request</u>. Applicant submits that neither Burge nor Lupien discloses such a concept.

Accordingly, Applicant submits that even if Burge and Lupien were combined (and there appears to be no motivation to do so), the combination would fail to teach the invention recited in claims 18, 41, and 64. Applicant thus submits claims 18, 41, and 64 are patentable over Burge and Lupien.

### Independent claims 19, 42, and 65

Claims 19, 42, and 65 recite the features of determining a set of tokens corresponding to the information request. Applicant submits that these claims are thus allowable for at least a similar rationale as discussed above for claims 1, 20, 24, 43, and 47. <u>Further</u>, claims 19, 42, and 65 recite that the set of tokens corresponding to an information request are determined based upon a set of rules (referred to as the "first set of rules" in claims 19, 42, and 65). As discussed above with respect to claims 18, 41, 64, such a concept is also not taught by Burge or Lupien. Applicant thus submits that claims 19, 42, and 65 are patentable over Burge and Lupien, considered individually or in combination.

### Dependent claims 2-17, 21-23, 25-40, 44-46, and 48-63

Applicants further submit that claims 2-17 which depend from claim 1 should be allowed for at least a similar rationale as discussed for allowing claim 1, and others. Claims 21-23 which depend from claim 20 should be allowed for at least a similar rationale as discussed for allowing claim 20, and others. Claims 25-40 which depend from claim 24 should be allowed for at least a similar rationale as discussed for allowing claim 24, and others. Claims 44-46 which depend from claim 43 should be allowed for at least a similar rationale as discussed for allowing claim 43, and others.

Furthermore, many of the dependent claims recite <u>additional features</u> which are also not taught or suggested by Burge or Lupien, considered individually or in combination.

Appl. No. 09/781,042
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PATENT

Rejection under 35 U.S.C. § 112

Independent claims 1, 18, 20, 24, 41-43, 47, and 64-65 are rejected under 35 U.S.C. §112 for failing to adequately define the invention and for being indefinite. However, the Office Action does not provide any explanation for why the claims are deemed indefinite or do not adequately define the invention. Applicant submits that the independent claims adequately define the invention and are definite. Applicant submits that these claims are thus patentable under 35 U.S.C. 112.

If the Examiner still believes that the independent claims are not patentable under 35 U.S.C. 112, then the Examiner is requested to clearly identify the reasons why the claim are inadequate and indefinite.

## CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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